

**MOSER
PATTERSON &
SHERIDAN, LLP**

ATTORNEYS AT LAW

RECEIVED
CENTRAL FAX CENTER
SEP 30 2004

3040 Post Oak Blvd, Suite 1500
Houston, TX 77056-6582
TEL 713.623.4844
FAX 713.623.4846
WWW.MPSLLP.COM

FACSIMILE COVER SHEET

DATE: September 30, 2004
FILE NO: WEAT/0122
TO: Examiner Fleming Saether
FAX NO: 703-872-9306
COMPANY: USPTO
FROM: Ken Ripple
PAGE(S) with cover: 3
ORIGINAL TO FOLLOW? YES NO

REQUEST FOR CONTINUED EXAMINATION

U.S. SERIAL NO.: 09/888,071
CONFIRMATION NO.: 6610
CUSTOMER NO.: 36735
FILING DATE: June 22, 2001
TITLE: HIGH STRENGTH SPRAY METAL TUBULAR COUPLING
INVENTOR: Arturo De La Cruz
EXAMINER: Fleming Saether
GROUP ART UNIT: 3677

CONFIDENTIALITY NOTE

The document accompanying this facsimile transmission contains information from the law firm of Moser, Patterson & Sheridan, L.L.P. which is confidential or privileged. The information is intended to be for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this faxed information is prohibited. If you have received this facsimile in error, please notify us by telephone immediately so that we can arrange for the retrieval of the original documents at no cost to you.

306189_1.DOC

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In re Application of:
Arturo De La Cruz**

Serial No.: 09/888,071

Confirmation No.: 6610

Filed: June 22, 2001

For: HIGH STRENGTH SPRAY
METAL TUBULAR COUPLING

MAIL STOP RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Group Art Unit: 3677
Examiner: Flemming S
Customer No.: 36,735

RECEIVED
CENTRAL FAX CENTER

SEP 30 2004

**CERTIFICATE OF FACSIMILE
TRANSMISSION UNDER 37 CFR 1.8**

REQUEST FOR CONTINUED EXAMINATION

In response to the Final Office Action dated May 12, 2004, having a shortened statutory period for response set to expire on August 12, 2004, and the Advisory Action dated August 30, 2004, please enter this Request for Continued Examination (RCE) under 37 C.F.R. 1.114 of the above-identified application. Applicant herewith petitions the Commissioner of Patents and Trademarks to extend the time for reply to the Final Office Action dated May 12, 2004 for one month from August 30 to September 30, 2004. The Commissioner is hereby authorized to charge counsel's Deposit Account No. 20-0782/WEAT/0496/WBP \$880.00 for an RCE, a one month extension of time, and for any fees, including excess claim fees required to make this RCE timely and acceptable to the Office.

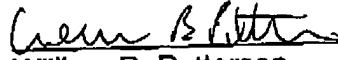
Remarks/Arguments begin on page 2 of this paper.

REMARKS

In the Advisory Action dated August 30, 2004, the Examiner indicated that the arguments presented in the response to the Final Office Action dated May 12, 2004, faxed July 12, 2004 ("Response") were not persuasive. In response, the Applicant is requesting continued examination. Please enter the Response, if it has not already been entered, before entering this RCE.

Claims 1-9 and 24-26 remain pending in the Application. Applicants would like to thank Examiner Saether for taking the time to conduct an informal telephonic interview with Applicants' representative on September 21, 2004 even though the Examiner had to operate only from memory due to a computer malfunction at the time. In the interview, the Response was discussed. The Examiner indicated that he would reconsider the Response and would possibly withdraw the 35 USC §101 rejection and give the "fully cold formed" limitation patentable weight upon filing of this RCE. The Examiner further indicated that he would reconsider the 35 USC §102 rejection to claims 1-8 and 24-26 using *Hermanson* (U.S. Pat. No. 5,334,268) due to the "fully cold formed" limitation in claim 1, especially due to the criticism of *Hermanson's* combination of machine cutting and partially cold rolling the threads by *Rallis* (U.S. Pat. No. 6,413,326).

Respectfully submitted,



William B. Patterson
Registration No. 34,102
MOSER, PATTERSON & SHERIDAN, L.L.P.
3040 Post Oak Blvd. Suite 1500
Houston, TX 77056
Telephone: (713) 623-4844
Facsimile: (713) 623-4846
Attorney for Applicant